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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 3rd October, 2017.

No.LBG.14/2008/54. - In exercise of the powers conferred by sub-section (1) of Section 7 of the Industrial Disputes Act, 1947, (Central Act 14 of 1947) the Governor of Meghalaya is pleased to constitute one Labour Court with jurisdiction over the whole of the State of Meghalaya for the adjudication of industrial disputes and for performing such other function as may be assigned to it under the aforesaid Act with immediate effect.

The Labour Court shall have its Headquarters at Shillong but may hold its sitting at any other place within the State.

This Department's Notification No. Labour-43/74/2, dated 31st May, 1974 is hereby cancelled.

M. S. RAO,

Principal Secretary to the Govt. of Meghalaya,
Labour Department.

The 3rd October, 2017.

No.LBG.14/2008/55. - In exercise of the powers conferred by sub-section (1) of Section 7A of the Industrial Disputes Act, 1947, (Central Act 14 of 1947) the Governor of Meghalaya is pleased to constitute one Industrial Tribunal with jurisdiction over the whole of the State of Meghalaya for the adjudication of industrial disputes under the aforesaid Act with immediate effect.

The Tribunal shall have its Headquarters at Shillong but may hold its sitting at any other place within the State.

This Department's Notification No. Labour-168 dated 23rd May, 1974 is hereby cancelled.

M. S. RAO,

Principal Secretary to the Govt. of Meghalaya,
Labour Department.

The 3rd October, 2017.

No.IND.84/2017/8. - The Governor of Meghalaya is pleased to notify the Commerce & Industries Department as Nodal Department for setting up an Investment Promotion Centre (IPC) at Meghalaya House, New Delhi.

P. W. INGTY,

Additional Chief Secretary to the Govt. of Meghalaya,
I/c. Commerce & Industries Department.

The 22nd September, 2017.

No.GAB.69/2000/599. – The Governor of Meghalaya is pleased to rename the following village in the State as follows with immediate effect:-

Name of existing village

Renamed as

1. Sonapahar

Mawsynrut.

P. W. INGTY,

Additional Chief Secretary to the Govt. of Meghalaya,
General Administration Department.

The 20th September, 2017.

Subject:- Creation of temporary post of Additional Deputy Commissioners and Extra Assistant Commissioners.

No.PER.30/98/114. - The sanction of the Governor of Meghalaya to the creation of the following temporary posts:-

- (i) 2 (two) temporary posts of Additional Deputy Commissioner i.e., 1 (one) in each of the newly created Raksamgre Civil Sub-Division and Mawshynrut Civil Sub-Division in the Scale of pay of ₹ 26,700-42,100/- and other allowances as admissible under the rules with effect from the date of entertainment till 28th February, 2018.
- (ii) 2 (two) temporary posts of Extra Assistant Commissioners i.e., 1 (one) in each of the newly created Raksamgre Civil Sub-Division and Mawshynrut Civil Sub-Division in the Scale of pay of ₹ 17,000-33,690/- and other allowances as admissible under the rules with effect from the date of entertainment till 28th February, 2018.

The expenditure shall be debitable to the Head of Account "2053-District Administration-094-other Establishment-01-Sub-Divisional Establishment-01-Salaries-Six Schedule-Part-II-Areas-Voted" during the current financial year 2017-18.

This issues with the concurrence of Finance (EC-I) Department *vide* their I/D.No.FC (1)325/2017-18, dated 11th September, 2017.

V. TARIANG,

Under Secretary to the Govt. of Meghalaya,
Personnel & A. R.(A) Department.

The 6th October, 2017.

No.CDD.210/2014/202. - In exercise of the powers conferred by sub-section (1) of Section 32 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Central Act No. 42 of 2005), the Governor of Meghalaya is pleased to make the following rules, namely:-

1. **Short title, extent and commencement.-** (1) These rules may be called the Meghalaya Mahatma Gandhi National Rural Employment Guarantee Schemes (Compensation for Delay in Payment of Wages) Rules, 2017.
 - (2) They shall extend to the whole of rural area of the State where MGNREGS is implemented.
 - (3) They shall come into force on the date of its publication in the official Gazette.
2. **Definitions.-** (1) In these rules unless there is anything repugnant in the subject or context,-
 - (a) "Account Assistant" means Account Assistant recruited under the Mahatma Gandhi NREGS posted in the Block and the District for the purpose of the successful implementation of the Act;
 - (b) 'Act' means the Mahatma Gandhi National Rural Employment Guarantee Act, 2005;
 - (c) 'Competent Authority' means Principal Secretary, Commissioner & Secretary or Secretary of the State Nodal Department or Mission Director of the State Rural Employment Society or any officer authorized by the Government;
 - (d) 'DEO' means Data Entry Operator recruited under the Mahatma Gandhi NREGS posted in the Block and District for the purpose of the successful implementation of the Act;
 - (e) 'DPC' means District Programme Coordinator who is an officer of State Government designated for implementation of the scheme in a District;
 - (f) 'Payment Agency' means any agency designated by the Central or State Government to disburse wages of Mahatma Gandhi National Rural Employment Guarantee Scheme workers;
 - (g) 'Programme Officer' means the Block Development Officer, designated as the Programme Officer under the Mahatma Gandhi NREGS for the purpose of the successful implementation of the Act;
 - (h) 'Rules' means the Meghalaya Mahatma Gandhi National Rural Employment Guarantee Schemes (Compensation for Delay in Payment of Wages) Rules, 2017;
 - (i) "Scheme" means Mahatma Gandhi National Rural Employment Guarantee Schemes implemented by the Meghalaya State Government;
 - (j) 'SRES' means State Rural Employment Society for implementation of MGNREGS;
 - (k) 'State Fund' means the Meghalaya State Employment Guarantee Fund established under Sub-section (1) of Section 20;
 - (l) 'Technical Officer' means Executive Engineer or Assistant Engineer or Junior Engineer of DRD A/Block Office or any other Assistant engaged for the purpose of Technical Supervision of works under MGNREGS;
 - (m) 'VEC' means Village Employment Council;
 - (n) 'VLAA' means Village Level Administrative Assistant recruited under the Mahatma Gandhi NREGS posted in the Village/Block for the purpose of the successful implementation of the Act and
 - (o) 'VMC' means Vigilance and Monitoring Committee.
3. **Objectives.-** The objective of these Rules is for timely payment of wages to the registered MGNREGS workers after completion of the works as provided under Section 3 of the Act, and wages are paid as per their entitlement through their bank accounts except for unbanked areas identified by competent authorities.

4. **Payment of wages.-** Job Card workers will be entitled to receive payments within prescribed time. The Schedule for payment of wages as per the existing standard operating procedures issued by the competent authority of the State Government from time to time shall be adhered to by implementing agencies appended in Schedule-I of this rule.
5. **Payment of Compensation.-** (1) If payment cannot be made after 15 (fifteen) days for workers, they shall be entitled to receive payment compensation, and such compensation shall be paid after due verification by the Programme Officer, notwithstanding the fact that delay took place within his or her jurisdiction, reasons for delay will be recorded in writing.
 - (2) Claims for payment of compensation or due compensation for delayed wage payments in NREGA Soft will be examined on the following:-
 - a) Data of payment of wages;
 - b) Date of closure of MR;
 - c) The duration of such delay;
 - d) Total wage payable; and
 - e) Rate of compensation.
6. **Rate of Compensation.-** (1) As per Section 29 of Schedule (II) of the Act, the rate of the compensation is 0.05% of the unpaid wage's per day of delay beyond the sixteenth day of closure of the muster roll. The State Government shall pay compensation from the State Fund.
 - (2) For the above purpose, compensation payable shall be decided by the Programme Officer except in case of the following circumstances, namely:-
 - a) Funds are not available at the paying authority level;
 - b) Compensation not due (wages have been paid in time, but details not extended in MIS); and
 - c) Natural Calamities.
 - (3) If the delay in payment is committed by Bank or Post Office in contravention to Rule 5 (i) of this Rule, compensation is not liable to be paid by the State implementing agencies.
7. **Responsibility.-** (1) The State Government shall be responsible to pay the compensation amount for delay after due verification, within the time-limits prescribed in sub rule (1) of Rule 5.
 - (2) The District Programme Coordinator or Programme Officer shall ensure that compensation, if any, are paid according to the rate prescribed under Rule 6.
 - (3) For reasons payment of compensation is to be paid other than the State Government, the District Programme Officer or Programme Officer should calculate the amount and fix a timeline for payment of compensation to wage earners by issuing necessary directions to such agencies such as Post Office/Banks etc.
8. **Reports.-** Programme Officer shall send report of the payment made under these rules shall be submitted in Form 'I' to the District Programme Coordinator and the District Programme Coordinator shall send report to the State Government on quarterly basis.
9. **Power to Amend Rules.-** The State Government may add to, delete from or alter or amend or modify the rules. Such alteration or amendment of the rules shall be notified in the Meghalaya Gazette.

P. SAMPATH KUMAR,

Commissioner & Secretary to the Govt. of Meghalaya,
Community and Rural Development Department.

Form 'I'**[See Rule 8]**

Quarterly Report for Programme Officer & Block Development Officer under Meghalaya Mahatma Gandhi National Rural Employment Guarantee Scheme (Compensation for Delay in Payment of Wages) Rules, 2017.

Sl. No.	Particulars	Details
1.	Name of the Block	
2.	Number of applications received/ Number of Muster Rolls pending	
3.	Number of application /Muster Rolls accepted	
4.	Reason for rejection	
5.	Amount of compensation for delay in Payment of wages paid (month-wise)	
6.	Grant Total paid during the Quarter	
7.	Payment to individual may be recorded in separate sheet	

Signature of PO & BDO

SCHEDULE - I

[See Rule 4]

Timeline for Standard Operating Procedure on implementation of Delay Compensation Scheme.

Sl. No.	Particulars	Action to be taken	Time Period	Persons responsible
1.	Muster Roll Receipt Register	Update of the register	Upon submission of Muster Roll/ Bill (instantaneous)	Gram Sevak, Technical Assistant or any other person given responsibility by the BDO concerned
2.	Material Bill Receipt Register	Update of the register		
3.	Acknowledgement Slip	Issuance of Acknowledgement Slip		
4.	Payment of Muster Rolls and Bills	Within 15 days of the date of receipt	BDO/Programme Officer, MGNREGS
	i) Verification of the muster roll and bill	i) Verification of the muster roll/ bill and the availability of funds under the project ii) Physical verification of work iii) Update the status of the work in the Measurement Book	Within 5 working days	Gram Sevak, Technical Assistant or any other person given responsibility by the BDO concerned
	ii) Approval of the muster roll/ bill	Approve the muster roll/ bill	Within 2 working days	BDO/P.O. MGNREGS or any other authorized officer
	iii) MIS section for data entry	Data entry of MRs into the MIS	Within 2 working days	Block MIS nodal officer and MIS personnel
	iv) Processing of payment	After completion of marketing of attendance in the MRs, wage list generation, adding of payment date to wage list and sending of wage list for payments to the Accountant data entry page Generation of FTOs from the Accountant Data entry page If fund available, digital signing of the FTOs by the 1 st Signatory (Accountant) and 2 nd Signatory (PO/BDO)	Within 3 working days	
			Within 1 working days	MGNREGA Block Accountant
			Within 1 working days	MGNREGA Block Accountant and PO/BDO, MGNREGA

- **Payment of delay compensation-** delay compensation will be calculated from the date of receipt of the muster rolls/ bills if there is delayed in payment.
- **Muster Rolls, Bills with errors-** if any muster roll/ bill which has duly acknowledged receipt by the BDO/Programme Officer, MGNREGS cannot be processed and need correction due to various reasons, the following procedures should be followed:
 - i) The correction required to be made should be immediately intimated to the concerned VEC.
 - ii) The date on which the VEC has received the muster roll/ material bill for should be scrupulously updated in the Muster Roll Receipt Register or Material Bill Receipt Register.

The 5th October, 2017.

No.MG.60/2014/Pt-I/133. - The Governor of Meghalaya is pleased to nominate the Meghalaya Minerals Development Corporation, Meghalaya, Shillong as the nodal agency for facilitating coal mining operations and activities in the State of Meghalaya under Section 3A of The Coal Mines (Nationalisation) Act, 1973 in pursuance of Government of India letter No.38028/3/2014/CA-II/PCA, dated 9th August, 2017, in partnership with willing and interested coal mine owners with immediate effect and until further orders.

M. N. NAMPUI,

Secretary to the Govt. of Meghalaya,
Mining & Geology Department.

The 28th September, 2017.

No.JHADC/LEG/7/2017/15. - It is hereby notified for general information that Shri Hopingstone Bareh, Deputy Chairman, Jaintia Hills Autonomous District Council, has under Rule 11 (b) of the Assam and Meghalaya Autonomous Districts (Constitution of District Councils) Rules, 1951 as adopted and amended by this District Council tendered his resignation as Deputy Chairman, Jaintia Hills Autonomous District Council *vide* his resignation letter dated 28th September, 2017 with effect from today the 28th September, 2017 (forenoon) is duly accepted.

A. H. DARNEI,

Chairman, District Council,
Jaintia Hills Autonomous District Council,
Jowai.

The 19th September, 2017.

No.JHADC/Genl/3/2012/112. - On the recommendation of the District Council Selection Board *vide* letter No.JHADC/GENL/DCSB/23/2016/20, dated 7th October, 2016, the Executive Committee, Jaintia Hills Autonomous District Council, Jowai is pleased to promote and appoint Smti. Cherryland Dkhar, Asst. Finance and Accounts Officer as Art and Culture Officer, Jaintia Hills Autonomous District Council, Jowai in the Scale of Pay of ₹ 17,000-470-20,290-EB-560-25,330-760-33,690/- p.m. plus other allowances as admissible under the rules in force, with effect from the date of joining the post.

R. PHAWA,

Secretary,
Executive Committee,
Jaintia Hills Autonomous District Council,
Jowai.